

## **A. Clean Indoor Air**

Clean Indoor Air Rating: Moderate

### **Public Places**

Smoking is prohibited in elevators, and public transportation vehicles.

D.C. CODES § 6-911 et seq. (1987).

Smoking is prohibited on public passenger vehicles that seat 12 or more. Carriers may refuse to transport violators. Violation is also punishable by a fine of \$10 to \$50 for the first offense, and by a fine of \$50 to \$100 and/or by up to 10 days imprisonment for subsequent violations.

D.C. CODES § 44-223(b) (1), § 44-225 and 44-226 (1975).

### **Government Buildings**

Smoking is prohibited in public assembly and hearing rooms owned by the government. Smoking is restricted in all government owned or leased buildings. Smoking areas are only permitted in areas that can be separated by a physical barrier or are a separate room.

Mayor's Memorandum 92-2.

### **Private Workplaces**

Public and private employers must implement and maintain written smoking policies, which must be posted in the view of employees. Under these policies, designated smoking areas may be permitted if they are separated by a physical barrier or are a separate room. Smoking and non-smoking areas shall be clearly indicated by signs.

D.C. CODES § 6-911 et seq. (1991).

### **Schools**

Smoking is restricted to designated areas in private educational facilities and institutions of higher education.

D.C. CODE § 6-912 (1987).

Smoking is prohibited throughout D.C. public schools and D.C. Public School administrative facilities by students and faculty.

DC Municipal Regulation § 3502.5. and DCPS Directive No. 205.4 (1992).

### **Child Care Centers**

Smoking is restricted to designated areas in day care centers owned or leased by any branch of the District government.

D.C. CODES § 6-911 et seq. (1987).

### **Health Facilities**

Smoking is prohibited in areas of health facilities frequented by the general public, including hallways, waiting rooms, and lobbies. Hospitals must make every effort to determine patients' preferences to smoke, or not smoke, and place them in rooms accordingly.

D.C. CODES § 6-911 et seq. (1987).

### **Restaurants**

Restaurants seating over 50 persons shall designate at least 25% of total seating capacity as a nonsmoking area.

D.C. CODES § 6-912(5) (1987).

### **Enforcement**

As regulated under D.C. Code § 6-911 et seq., failure to post the appropriate sign or smoking in a designated no smoking section shall be punishable by a fine of \$10-\$50 for a first offense and \$50-\$100 for subsequent offenses.

## **B. Tobacco Excise Taxes**

### **Cigarettes**

Tax rate per pack of 20: 65 cents

Date last changed: July, 1993-50 cents to 65 cents

Year first enacted: 1949

### **Other Tobacco Products**

Chewing tobacco and snuff: None

## **C. Youth Access**

### **Age Restrictions on Sales of Tobacco Products**

Minimum age for sales of cigarettes and smokeless tobacco: 18

### **Penalty**

No person shall sell, give or furnish any tobacco products to any person under 18 years of age. Any person who sells any cigarette or other tobacco product that has reasonable cause to believe that a person who attempts to purchase the product is under 18 shall require the purchaser to present identification that indicates their age. Violation of either of these provisions is a misdemeanor punishable by a fine between \$100 and \$500, and/or imprisonment for not more than 30 days, for the first offense. A person who commits subsequent violations shall be fined \$500 to \$1,000, imprisoned for not more than 90 days, or both. Any license to sell cigarettes may be suspended for the first or second violation, and shall be revoked for a third violation.

D.C. CODES § 22-1120 (1990).

### **Sign Posting**

The owner or person in charge of a place of business that sells tobacco products shall post a warning sign that states that it is illegal for minors to purchase tobacco products and that includes a surgeon general warning.

D.C. CODE § 22-1120 (1990).

### **D. Restrictions on Distribution of Tobacco Product Samples or Sales of Single Cigarettes**

#### **Samples**

Distribution of any free tobacco product is forbidden on any other public or private property open to the public. Distribution of free products is permitted at tobacco stores, conventions, or conferences catering to adults. Violators will be fined not less than \$250 per violation.

D.C. CODES § 6-920.1 (1991).

#### **Single Cigarettes**

Cigarettes may not be sold in numbers less than the number contained in the original package. The sale of loose cigarettes from opened or original packages is prohibited.

DC MUNICIPAL REGULATIONS 9-10-1016.

### **E. Restrictions on the Sale of Tobacco Products In Vending Machines**

#### **Placement**

Tobacco vending machines are restricted to licensed taverns or nightclubs, establishments that restrict admittance to persons under eighteen years of age, or a licensed restaurant. These vending machines shall be located in an area located in an area that is in the immediate vicinity, plain view and control of a responsible employee, so that any tobacco purchase is readily observable by an employee.

D.C. CODES § 47-2401 et seq. (1991).

#### **Penalty**

Any person who sells tobacco products to a minor is guilty of a misdemeanor punishable by a fine between \$100 and \$500, and /or imprisonment for not more than 30 days, for the first offense. A person who commits subsequent violations shall be fined \$500 to \$1,000, imprisoned for not more than 90 days, or both. The Mayor may suspend a vending machine operator's license after a first or second violation of this act. After a third violation, the license will be revoked.

D.C. CODES § 22-1120 and 47-2401 et seq. (1991).

### **F. Licensing Requirements**

#### **Requirements**

Cigarette wholesalers, retailers, and vending machine operators must obtain a license from the Mayor.

D.C. CODES § 47-2404 (1991).

#### **Fee**

The annual fee for wholesalers is \$50 for each place of business. The annual fee for retailers is \$15 for each retail establishment, and a license for vending machine operators is \$15 for each machine.

D.C. CODES § 47-2404 (1991).

#### **Penalty for Sales to Minors**

The Mayor may suspend any license issued under this law to any person convicted of a 1<sup>st</sup> or 2<sup>nd</sup> violation of § 22-1120, and shall revoke the license for a 3<sup>rd</sup> or subsequent offense.

D.C. CODES § 47-2404 (1991).

**G. Smoker Protection Laws**

No person shall refuse to hire or employ any applicant for employment, or discharge or otherwise discriminate against any employee with respect to compensation or any other term, condition, or privilege of employment, on the basis of the use of tobacco products by the applicant or employee.  
D.C. CODES § 6-913.3 (1983).

**H. Advertising & Promotion**

Advertising and Promotion  
Washington Metro Transit Authority banned tobacco and alcohol advertising on all system rail cars and buses.

**I. Product Disclosure**

None

**J. Tobacco Divestment**

None

**K. Tobacco Liability**

None

**L. Tobacco Settlement**

None

Information provided by the American Lung Association from the 2001 State Legislated Actions on Tobacco Issues.